

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

TAMIA BANKS, et al.,

Plaintiffs,

v.

**Civil Action No. 4:20-cv-01227**

COTTER CORPORATION,  
COMMONWEALTH EDISON COMPANY, DJR  
HOLDINGS, INC. f/k/a FUTURA COATINGS,  
INC., AND ST. LOUIS AIRPORT AUTHORITY,  
A DEPARTMENT OF THE CITY OF ST. LOUIS

Defendants.

COTTER CORPORATION (N.S.L),

Third-Party Plaintiff

v.

MALLINCKRODT LLC, EVERZINC USA INC.,  
BRIDGETON LANDFILL, LLC, REPUBLIC  
SERVICES, LLC, ALLIED SERVICES, LLC,  
WESTLAKE LANDFILL, INC., and ROCK  
ROAD INDUSTRIES, INC.,

Third-Party Defendants

**MALLINCKRODT LLC’S AGREED TO MOTION FOR EXTENSION OF TIME TO  
ANSWER OR OTHERWISE RESPOND TO THIRD-PARTY PETITION**

Third-Party Defendant Mallinckrodt LLC (“Mallinckrodt”) hereby moves for a forty-five (45) day extension to answer or otherwise respond to the Third-Party Petition of Cotter Corporation (“Cotter”) from September 17, 2020 to November 1, 2020. In support of this request, Mallinckrodt states the following:

1. Mallinckrodt removed this matter from state court to this Court on September 10, 2020.

2. Pursuant to Federal Rule of Civil Procedure 81(c), Mallinckrodt has seven days to answer or otherwise respond to Cotter's Third Party Petition from the date of removal, making its current deadline September 17, 2020.

3. Third-Party Plaintiff Cotter Corporation has no objection to and consents to this extension.

4. Mallinckrodt seeks additional time to respond due to the complex nature and history of the case, which it has only recently been brought into.

5. Accordingly, good cause exists to grant Mallinckrodt an extension of time to respond to the Third Party Petition as agreed to by the parties. See Fed. R. Civ. P. 6(b)(1)(A).

6. This motion is not being made for purposes of improper delay, and no party will be prejudiced by the granting of the relief sought herein.

7. This is the first request of extension of time by Mallinckrodt.

WHEREFORE, Mallinckrodt respectfully requests an extension of its deadline to answer or other respond to Cotter's Third-Party Petition to November 1, 2020.

Dated: September 14, 2020

Respectfully submitted,

/s/ David R. Erickson  
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ATTORNEYS FOR DEFENDANT  
MALLINCKRODT LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on September 14, 2020, I electronically filed the above with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to counsel of record.

/s/ David R. Erickson  
ATTORNEYS FOR DEFENDANT  
MALLINCKRODT LLC